

Senate Bill 1

By: Senators Parent of the 42nd, Jordan of the 6th, Jones II of the 22nd, Kirk of the 13th, Black of the 8th and others

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and
2 traffic, so as to provide for a penalty for hit and run accidents that result in serious injury; to
3 clarify a cross-reference relating to suspensions of drivers' licenses; to provide a definition;
4 to provide for an exception; to provide a short title; to provide for related matters; to repeal
5 conflicting laws; and for other purposes.

6 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

7 **SECTION 1.**

8 This Act shall be known and may be cited as "C.J.'s Law."

9 **SECTION 2.**

10 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic,
11 is amended by revising paragraph (1) of subsection (d) of Code Section 40-5-63, relating to
12 periods of suspension and conditions to return of license, as follows:

13 "(d)(1) Any person convicted of violating subsection (a) of Code Section 40-6-393;
14 ~~relating to homicide by vehicle; or subsection (b) of Code Section 40-6-394, relating to~~
15 ~~serious injury by vehicle;~~ shall have his or her license suspended for a period of three
16 years. Such person shall not be eligible for early reinstatement of said driver's license as
17 provided in this Code section or in Article 4 of this chapter and shall not be eligible for
18 a limited driving permit as provided in Code Section 40-5-64."

19 **SECTION 3.**

20 Said title is further amended by revising Code Section 40-6-394, relating to serious injury
21 by vehicle, as follows:

22 "40-6-394.

23 (a) As used in this Code section, the term 'bodily harm' means an injury to another person
24 which deprives him or her of a member of his or her body, renders a member of his or her

25 body useless, seriously disfigures his or her body or a member thereof, or causes organic
26 brain damage which renders his or her body or any member thereof useless.

27 (b) Any person who, Whoever, without malice aforethought, shall cause causes an
28 accident that results in bodily harm to another by depriving him of a member of his body,
29 by rendering a member of his body useless, by seriously disfiguring his body or a member
30 thereof, or by causing organic brain damage which renders the body or any member thereof
31 useless through the violation of while violating Code Section 40-6-390 or 40-6-391 shall
32 be guilty of commits the crime of serious injury by vehicle. A person convicted under this
33 Code section of violating this subsection shall be guilty of a felony and shall be punished
34 by imprisonment for not less than one year nor more than 15 years.

35 (c) Any person who, without malice aforethought, proximately causes an accident that the
36 person knew resulted in bodily harm and leaves the scene of the accident in violation of
37 subsection (b) of Code Section 40-6-270 commits the crime of serious injury by vehicle;
38 provided, however, that there shall be no violation of this subsection if the parties involved
39 in the accident exchange motor vehicle insurance information prior to leaving the scene of
40 the accident. A person convicted of violating this subsection shall be guilty of a felony and
41 shall be punished by imprisonment for not less than one year nor more than ten years."

42 **SECTION 4.**

43 All laws and parts of laws in conflict with this Act are repealed.